

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JERRY A. BRENDEN,

Plaintiff,

v.

SELLEN CONSTRUCTION COMPANY,
INC.; and EBERL VIVIAN INSURANCE,

Defendants.

Case No. MC08-5053RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Complaint.¹ Having considered the entirety of the records and file herein, the Court finds and rules as follows:

On September 16, 2008, plaintiff, pro se, filed an Employment Discrimination Complaint on the forms provided by the Court for use by pro se litigants. In his Complaint plaintiff alleges that his previous employer, Sellen Construction Company, violated Title VII of the Civil Rights Act of 1964 by, among other ways, terminating his employment. His dispute with the company apparently dates back to Sellen's handling of plaintiff's 1999 on the job injury. The relief plaintiff seeks, however, is for this Court to send this matter back to Thurston County, where plaintiff had two previous lawsuits in 2003 and 2004 involving his worker's compensation claims, for that court to award him damages.

Initially, this Court does not act as an appellate court for the state courts, and thus does not have

¹According to the Deputy Clerk who accepted plaintiff's complaint, plaintiff "insisted" that the matter be opened as a miscellaneous case notwithstanding that the matter should properly be filed as a civil case and be given a civil cause number.

1 jurisdiction over this matter. Furthermore, the Court notes that plaintiff has filed two cases in Seattle on the
2 same or like subject matter, *Jerry Brenden v. Sellen Construction*, C05-427RSM, and *Jerry Brenden v. Sellen*
3 *Construction Company*, C05-1681RSL, both of which have been dismissed. Judge Martinez and Chief Judge
4 Lasnik have barred plaintiff from filing any new documents in both of those closed cases.

5 Because this Court lacks jurisdiction over plaintiff's claims and because he has twice had the matter
6 dismissed, this case is also **DISMISSED**. As with the other two cases in Seattle, this Court will not accept
7 any further filings under this cause number, MC08-5053RBL. The Clerk is directed to return to plaintiff any
8 motions, notices, or other documents filed by plaintiff in the above-captioned case. If plaintiff attempts to file
9 another case raising this same subject matter, it will be summarily **DISMISSED**.

10 **IT IS SO ORDERED.**

11 Dated this 30th day of September, 2008.

12
13 
14 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE